The opinion in support of the decision being entered today
was <u>not</u> written for publication and is <u>not</u> binding precedent
of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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<u>Ex parte</u> JIE LIANG,
STEPHEN HSIAO-YI LI,
RAJENDRA K. TALLURI,
FRANK L. LACZKO, SR.
and
Y. PAUL CHIANG

_____

Appeal No. 2000-1205
Application 09/089,290

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MAILED

APR 1 0 2002

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ON BRIEF

_____

Before HAIRSTON, JERRY SMITH, and BARRY, <u>Administrative Patent
Judges</u>.

HAIRSTON, <u>Administrative Patent Judge</u>.

<u>DECISION ON APPEAL</u>

This is an appeal from the final rejection of claims 1
through 5.

The disclosed invention relates to a method of decoding
video containing predicted frames.

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Claim 1 is the only independent claim on appeal, and it

reads as follows:

1.   A method of decoding video containing predicted frames, comprising the steps of:

(a) for at least one predicted frame decoding a first macroblock at a first resolution and decoding a second macroblock at a second resolution greater than said first resolution.

The reference relied on by the examiner is:

Boyce et al. (Boyce)   5,635,985   June 3, 1997

Claims 1 through 5 stand rejected under 35 U.S.C. § 102(e)

as being anticipated by Boyce.

Reference is made to the brief (paper number 10) and the

answer (paper number 11) for the respective positions of the

appellants and the examiner.

OPINION

For all of the reasons expressed by the examiner (answer,

pages 3 through 6), claims 1 through 5 are anticipated by the

decoder and the picture-in-picture (P-I-P) teachings of Boyce

(Figures 1, 2A, 2B and 4; column 17, line 66 through column 18,

line 60).

The examiner has correctly concluded (answer, pages 3

through 5) that the claimed invention is not limited to "a"

predicted frame as argued by appellants (brief, page 3).   We

agree with the examiner that the claimed "at least one predicted frame" is broad enough to read on two different predicted P frames in Boyce. Accordingly, the claimed invention reads on the decoding of a first macroblock in one of the reduced resolution decoders 402 or 403 (Figure 4), and the decoding of a second macroblock in the full resolution decoder 401. Obviously, the second or full resolution is greater than the first or reduced resolution.

Based upon appellants' grouping of the claims (brief, page 3), the 35 U.S.C. § 102(e) rejection of claims 1 through 5 is sustained.

<u>DECISION</u>

The decision of the examiner rejecting claims 1 through 5 under 35 U.S.C. § 102(e) is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

<u>AFFIRMED</u>

KENNETH W. HAIRSTON)
Administrative Patent Judge)
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)
JERRY SMITH   )   BOARD OF PATENT
Administrative Patent Judge)   APPEALS AND
)   INTERFERENCES
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)
LANCE LEONARD BARRY   )
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KWH:svt

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